

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION
THOMPSON CENTER, 8TH FLOOR, ORAL ARGUMENT ROOM
JANUARY 20, 2011, 3:00 PM**

Present at the meeting were:

Chairman Mitch Weisz
Commissioner Mario Basurto
Commissioner Yolaine Dauphin
Commissioner James DeMunno
Commissioner David Gore
Commissioner Kevin Lamborn
Commissioner Nancy Lindsay

Participating via Conference Call

Commissioner Daniel Donohoo

IWCC staff present at the meeting were:

Ms. Amy Masters, Secretary of the Commission
Ms. Dora Shabazz, Judicial Coordinator
Mr. Darrell Widen, Assistant General Counsel

Chairman Mitch Weisz called the meeting to order at 3:00 p.m.

Upon motion duly made by Commissioner Lamborn, seconded by Commissioner DeMunno, and unanimously carried, the minutes of the Commission meeting held on September 1, 2010, were approved.

Chairman Weisz provided the Commission with an update about recently implemented 4(d) procedures, indicating the procedure were working well. Commissioner Dauphin noted she assigned the first 4(d) case since procedures were implemented. Chairman Weisz added that the procedures were included in recent workers' compensation reform legislation which did not pass, and may be included in new reform legislation this spring.

Chairman Weisz noted that the Division of Insurance Workers' Compensation Fraud Unit will conduct an investigation of carpal tunnel claims filed against Menard Correctional Center. He noted that various reform measures were discussed during the workers' compensation reform process and will continue to be considered.

Chairman Weisz stated he is beginning to review Commission production reports and that decisions issued by the Commission as a whole has decreased 5%. He noted that individual commissioner production varied significantly. Commissioner Dauphin

commented that staffing vacancies and commissioner vacancies will contribute to these variances.

In regard to recent workers' compensation reform legislation, Chairman Weisz informed the Commission the agreed bill process is no longer in place and that there was significant disagreement between stakeholders. He discussed specific issues where disagreement was greatest, including utilization review and choice of physicians. The Commission discussed other issues including AMA guidelines, intoxication, medical fee schedule, and wage differential.

Next Chairman Weisz asked for comments in regard to the new Commission calendar. Commissioner Lindsay requested some changes to her panel's calendar to reduce travel costs and eliminate conflicts. Chairman Weisz indicated he would discuss those changes further with Ms. Dora Shabazz.

Under Other Business, Chairman Weisz noted there is an ongoing problem with arbitrators approving contracts for cases on review. After discussing with the Commission, Chairman Weisz indicated he would address this issue by sending a memo to the arbitrators.

Commissioner Dauphin voiced concern about parties submitting medical records which are either out of order or not paginated. Chairman Weisz noted the rules committee recommended a new procedure recently implemented for parties to paginate medical records, and that Workers' Compensation Advisory Board member David Menchetti will conduct training for attorneys on this matter the following week.

Commissioner Lindsay suggested forms be developed for Section 20 petitions to reduce inefficiencies in moving cases on review. The board discussed the matter and Chairman Weisz indicated he would look into the matter further.

Upon motion duly made by Commissioner Basurto, seconded by Commissioner DeMunno, and unanimously carried, the meeting was adjourned at 4:25 p.m.